

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 17 2004

In Re: Application of Stephen A. Culp)

Examiner: J. Novosad

For: Modular Construction System)

Group Art Unit: 3634

Serial No.: 10/634,685)

Filed: 08/06/2003)

WRITTEN STATEMENT REGARDING
TELEPHONE INTERVIEW
PURSUANT TO 37 C.F.R. § 1.133(b)

On Thursday, September 16, 2004, a telephone interview with Examiner Jennifer E. Novosad and counsel for the Applicant, Paul S. Weidlich, was conducted in connection with the above-captioned matter. During the course of the interview, counsel for the Applicant and Examiner Novosad agreed upon an amendment to claim 1 which, according to Examiner Novosad, appears to define over the applied prior art references. More particularly, counsel for the Applicant and Examiner Novosad agreed to amend claim 1 of the pending application to replace the functional language of the last clause of that claim with structural language that appears to define over both of the prior art references cited in the Office Action mailed on May 19, 2004, i.e., U.S. Patent No. 2,854,724 of Wuorio ("Wuorio '724") and U.S. Patent No. 3,812,977 of Glassman ("Glassman '977"). In email correspondence dated September 17, 2004, counsel for Applicant and Examiner Novosad agreed to a minor revision of the proposed amendment of claim 1 discussed on September 16, 2004. Again, Examiner Novosad stated that the proposed amendment to claim 1 appears to define over the applied art.

The amended claim language of claim 1 which was agreed upon by counsel for the Applicant and Examiner Novosad is as follows:

(07408_00/0101/00638350.DOC.)

Interview
Record OK
-D 10/7/04